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UNITED STATES DISTRICT COURT

State and

DISTRICT OF

New Mexico

CLERK - LAS CRUCES

UNITED STATES OF AMERICA

V.

Jose Alejandro BALDERAS-Figueroa

CRIMINAL COMPLAINT

CASE NUMBER:

07-87mj

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 8, 2007 in El Paso county, in the State and Texas defendant (s) did, (Track Statutory Language of Offense)

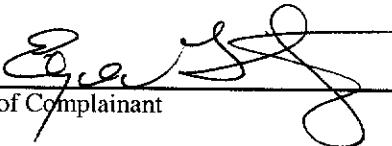
enter or attempt to enter the United States at any time or place other than as designated by immigration officers

in violation of Title 8 United States Code, Section(s) 1325 (a)(1)

I further state that I am a (n) Senior Patrol Agent and that this complaint is based on the following facts:
Alamogordo, New Mexico
Official Title

On January 08, 2007, the defendant was encountered by Border Patrol Agents at the USBP Checkpoint on Hwy 70 west of Alamogordo, New Mexico. At the time of encounter, the defendant was a passenger in a Dollar Cab taxi bearing Texas license plate 024 JPN. When questioned as to his citizenship, the defendant admitted he was a citizen and national of Mexico with no proper immigration to enter or remain in the United States legally. Immigration checks revealed that the defendant was deported from the United States to Mexico on June 05, 2000 through Otay Mesa, California. Upon further questioning, the defendant stated he last entered the United States illegally by wading the Rio Grande in El Paso, Texas. This area is not a designated Port of Entry by the appropriate authorities of the United States. There is no evidence that the defendant has received permission from the appropriate authorities of the United States to apply for admission into the United States. Prosecution authorized as per AUSA guidelines.

Continued on the attached sheet and made a part hereof: Yes No


 Signature of Complainant
 Enrique Gutierrez

Sworn to before me and subscribed in my presence,

January 10, 2007

Date

at

Karen B. Molzen United States Magistrate Judge
 Name & Title of Judicial Officer

Las Cruces, New Mexico

City and State


 Signature of Judicial Officer